

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

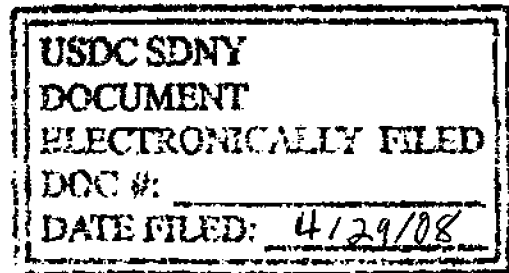
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SUSQUEHANNA BANK,

Plaintiff,

-v.-

JAMES S. MCGOWN,

Defendant.
-----X



ORDER TO SHOW CAUSE

08 Civ. 3984 (PKL)(FM)

This matter having been presented to the Court by McCarter & English, LLP, attorneys for plaintiff Susquehanna Bank ("Susquehanna"), by way of an Order to Show Cause why defendant James McGown should not be compelled to provide deposition testimony on an expedited basis regarding the location of a vessel which constitutes collateral given to Susquehanna pursuant to certain loan documents that Susquehanna and McGown executed, and it appearing from the Verified Complaint and other supporting papers that Susquehanna is entitled to the relief sought in this Order to Show Cause, and other good and sufficient cause having been shown;

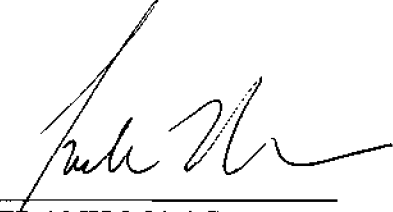
IT IS on this 29th day of April, 2008,

ORDERED that:

1. Counsel for Susquehanna shall serve a copy of this Order, together with a copy of the Summons, Verified Complaint, and Affirmation of Eduardo J. Glas, on defendant James McGown by hand delivery by no later than May 9, 2009, which service shall constitute sufficient service of process.

2. Counsel for Susquehanna shall promptly file an affidavit of service
3. Defendant James McGown shall show cause before Magistrate Judge Frank Maas in Courtroom 20A of the United States Courthouse for the Southern District of New York, at 500 Pearl Street, New York, New York, on May 22, 2008, at 10:00 a.m., or as soon thereafter as counsel may be heard, why an order should not be entered compelling the expedited deposition of James McGown to find out the location of Susquehanna's collateral.
4. James McGown shall file any papers opposing Susquehanna's application with the Court, and serve a copy of the same on counsel for Susquehanna, by no later than May 14, 2008.

DEFENDANT MCGOWN IS CAUTIONED THAT A FAILURE TO APPEAR AS REQUIRED COULD RESULT IN THE IMPOSITION OF SANCTIONS FOR CONTEMPT.



FRANK MAAS

United States Magistrate Judge